



Ninety-Eighth Legislature - First Session - 2003
Committee Statement
LB 444

Hearing Date: March 13, 2003

Committee On: Government, Military and Veterans Affairs

Introducer(s): (Erdman)

Title: Change recall petition provisions

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8	Yes	Senators Aguilar, Brown, Burling, Combs, McDonald, Schimek, Smith, Vrtiska
0	No	
0	Present, not voting	
0	Absent	

Proponents:

Senator Philip Erdman
Neal Erickson
Gary Krumland

Representing:

Introducer
Secretary of State
League of Nebraska Municipalities

Opponents:

Representing:

Neutral:

Craig Bernbeck

Representing:

Self

Summary of purpose and/or changes:

LB 444 eliminates the language requiring circulators and signors of recall petitions to be registered voters on the date of the issuance of the initial petition papers.

The bill provides that county clerks and election commissioners, not city and village clerks, will serve as the filing clerks for the recall of elected officers of cities or villages.

Explanation of amendments, if any:

The committee amendment expands the scope of the bill to eliminate the requirement that circulators of any type of petition be registered voters. This is consistent with the United States Supreme Court decision, *Buckley, Secretary of State of Colorado v. American Constitutional Law Foundation*, 525 U.S. 182 (1999).

Specifically, the bill eliminates the requirement that circulators be registered voters for the following petitions: initiative and referendum petitions by cities; recall petitions, including sanitary and improvement districts; petitions on the question of whether cities should elect on a at-large basis or by ward; and petitions prepared or filed pursuant to the Election Act.

Senator DiAnna R. Schimek, Chairperson